

## **REMARKS**

The allowance of claims 13-15 and 17 is noted and appreciated.

The Office Action in rejecting claim 7 contends that Kazmar (5,239,518), and in particular Fig. 4 thereof, discloses an acoustical projector having a single cylindrical shell segment 202 and two longitudinally spaced drivers 204 mounted within the shell segment. Applicant cannot quite understand this rejection since admittedly Kazmar discloses a single shell 202, but it distinctly shows three longitudinally spaced drivers 204. The only conclusion that Applicant can reach to understand this rejection is that it contains two of three drivers since there are three drivers clearly shown and disclosed in Fig. 4. However, as repeatedly stated in the specification and in the previously filed amendment, one of the main features of Applicant's invention is the mounting of an even number of spaced drivers such as 2, 4, 6 etc. in a shell segment, and definitely not a shell segment having an uneven number of drivers such as 3 as in Kazmar. A reading of the specification and previously submitted arguments clearly defines Applicant's invention, and especially an acoustic projector as defined in claim 7, as containing an even number of drivers, namely, two drivers. Again, nothing is shown or suggested in any manner whatsoever where Kazmar has only two drivers in the single shell since it clearly and unequivocally shows three drivers 204 within the shell. Such a construction would completely defeat the purpose of Applicant's invention which reduces the interaction and shear forces created when an uneven number, such as 3, is mounted in a single shell as in Kazmar.

Therefore, Applicant has amended claim 7 to indicate that there are only two longitudinally spaced drivers mounted within the shell segment in order to clearly define Applicant's invention over that of Kazmar, assuming that Applicant understands the Examiner's reasoning for citing Kazmar is that since it contains three drivers, it therefore contains two drivers. The amendment of claim 7 clearly avoids such an interpretation of Kazmar. Furthermore, as set forth in the previous response, no prior art was cited which shows a construction of a single shell having only two longitudinally spaced drivers mounted within the shell.

In view of the amendment to claim 7 and the above discussion, it is respectfully submitted that claim 7 as now amended clearly defines over Kazmar, as well as any of the previously cited references, and that such an addition to claim 7 raises no new questions of patentability, nor does it require a further search, and should be entitled to allowance together with claims 9-12 and 16 dependent therefrom.

Respectfully submitted this 12<sup>TH</sup> day of October, 2007.

SAND & SEBOLT



By: Michael Sand  
Reg. No. 26,503

Aegis Tower, Suite 1100  
4940 Munson St. NW  
Canton, Ohio 44718-2569  
Telephone: (330) 244-1174  
Facsimile: (330) 244-1173  
MS/kab  
Attorney Docket: 2022008US2AN (20030096)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450

Alexandria, VA 22313

on this 12<sup>TH</sup> day of October, 2007



Karina A. Butler